

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DAVID GEVAS, B 41175	)	
	)	
Plaintiff,	)	
v.	)	No. 08 C 3074
	)	
TERRY McCANN, et al.,	)	Judge Guzman
	)	
Defendants.	)	

PLAINTIFF'S MOTION IN LIMINE NO. 3

NOW COMES the Plaintiff, by his attorney, BARBARA J. CLINITE, and pursuant to the Federal Rules of Evidence and Federal Rules of Civil Procedure, moves this Honorable Court in limine for an Order precluding the Defendants, their attorneys, and witnesses, from placing before the jury any evidence, facts, argument, remarks or comments concerning the following:

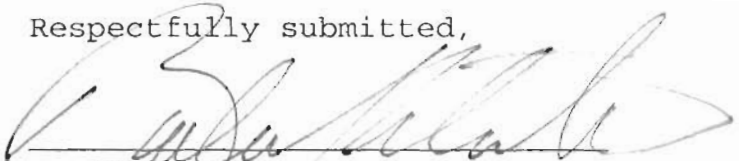
Whether the Plaintiff has filed any other lawsuits.

There is no issue in this case to which the filing of any prior or subsequent lawsuits would be relevant. If such evidence were permitted, particularly any prior lawsuits against the same defendants, the result would be prejudicial to the Plaintiff by suggesting that he is prone to filing lawsuits, or that he has particular feelings against the Defendants that led him to file multiple lawsuits.

Such facts would be irrelevant and immaterial to the issues in the case and any probative value would be greatly outweighed by the prejudicial effect. Further, even assuming that the Plaintiff has a propensity to file lawsuits, that is not relevant or material to this case, since it does not make it more probably true or not true that he was denied proper medical care in this case.

WHEREFORE, the Plaintiff respectfully requests that the Court enter an Order precluding the defense from mentioning, commenting upon, arguing or otherwise conveying such facts to the jury, without first seeking leave of court outside the jury's presence.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Barbara J. Clinite', is written over a horizontal line.

BARBARA J. CLINITE  
Attorney for the Plaintiff

BARBARA J. CLINITE  
Attorney at Law  
P.O. Box 2451  
Chicago, Illinois 60690  
(312) 977-1985  
Atty.No. 03124139

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PROOF OF SERVICE

The undersigned, as attorney, hereby certifies that on  
JUNE 2 2011 I caused to be electronically filed the  
Plaintiff's MOTION IN LIMINE NO. 3 with the Clerk of the Court  
using the CM/ECF system which will send notification of such  
filing to the following:

mcharysh@cskaw-chicago.com

R.tjepkema@yahoo.com

cwalter@atg.state.il.us



BARBARA J. CLINITE

BARBARA J. CLINITE  
Attorney at Law  
P.O. Box 2451  
Chicago, Illinois 60690  
(312) 977-1985  
Atty.No. 3124139